

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

David S. Stone (DS 8580)
BOIES, SCHILLER & FLEXNER LLP
150 John F. Kennedy Parkway
Short Hills, New Jersey 07078
(973) 218-1111
Counsel for Plaintiff
BROADCOM CORPORATION

RECEIVED

SEP 20 2005

AT 8:30 _____ []
WILLIAM T. WALSH
CLERK

BROADCOM CORPORATION,

Plaintiff,

v.

QUALCOMM INCORPORATED,

Defendant.

Civil Action No. 05-3350

**NOTICE OF MOTION TO ADMIT
DAVID BOIES, STEPHEN NEUWIRTH,
DAVID A. BARRETT AND MARK W.
NELSON *PRO HAC VICE***

TO: William J. O'Shaughnessy
McCarter & English
Four Gateway Center
100 Mulberry St.
Newark, NJ 07102

David R. Marriott
Cravath, Swaine & Moore LLP
825 Eighth Avenue
New York, New York 10019

Attorneys for Defendant

PLEASE TAKE NOTICE, that on October 7, 2005 at 9:30 a.m., or as soon as counsel may be heard, the undersigned attorneys for Plaintiff Broadcom Corporation will move before the Hon. John J. Hughes, at the Clarkson S. Fisher Building & U.S. Courthouse, 402 East State Street, Trenton, New Jersey 08608, for an Order pursuant to L.Civ.R. 101.1(c) granting **David**

Boies, Stephen Neuwirth and David A. Barrett of the firm Boies, Schiller & Flexner LLP, 570 Lexington Avenue, New York, New York 10022, and **Mark W. Nelson** of the firm Cleary Gottlieb Steen & Hamilton LLP, 2000 Pennsylvania Avenue, NW, Washington, DC 20006, admission to this Court *pro hac vice*. The basis for this motion is set forth by counsel for Plaintiff, David S. Stone, in the attached Affidavits in Support of Plaintiff's Motion for an Order to admit David A. Barrett and Mark W. Nelson *pro hac vice*. Defendant's Counsel, Cravath, Swaine & Moore LLP have consented to this motion.

A Consent Order is attached.



David S. Stone (DS 8380)

Dated: September 16, 2005

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

David S. Stone (DS 8580)
BOIES, SCHILLER & FLEXNER LLP
150 John F. Kennedy Parkway
Short Hills, New Jersey 07078
(973) 218-1111
Counsel for Plaintiff
BROADCOM CORPORATION

<p>BROADCOM CORPORATION,</p> <p>Plaintiff,</p> <p>v.</p> <p>QUALCOMM INCORPORATED,</p> <p>Defendant.</p>	<p>Civil Action No. 05-3350</p> <p>AFFIDAVIT OF MARK W. NELSON IN SUPPORT OF PLAINTIFF'S <i>PRO HAC</i> <i>VICE</i> MOTION</p>
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DISTRICT OF COLUMBIA

)
) SS:
)

MARK W. NELSON, having been duly sworn according to his oath, deposes and says:

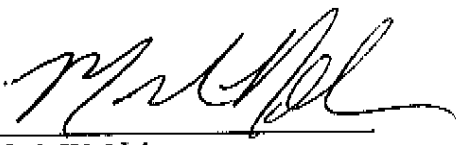
1. I am a member in good standing of the Bar of the State of New York, to which I was admitted in 1993, and the Bar of the District of Columbia, to which I was admitted in 1994. I am also a member in good standing of the Bar of the United States Courts of Appeals for the Ninth Circuit and the United States District Courts for the District of Columbia. I make this Affidavit in support of this Motion to allow me to appear in the above-captioned case *pro hac vice*.

2. I am not currently suspended or disbarred in any court and am of good moral character.

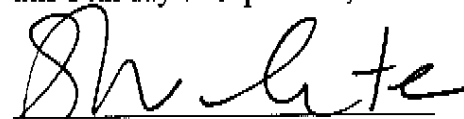
3. I represent Broadcom Corporation in the above-captioned action. I am associated in this matter with David S. Stone of Boies, Schiller & Flexner LLP, located at 150 John F. Kennedy Parkway, Short Hills, New Jersey 07078.

4. If admitted to practice before this Court in this case, I will conduct myself in accordance with the Rules governing the conduct of attorneys admitted to practice before this Court, and pay all appropriate fees.

I declare under penalty of perjury that the foregoing is true and correct.


Mark W. Nelson

Sworn to before me and
subscribed in my presence
this 14th day of September, 2005.


Notary Public

Sharma Contaste
Notary Public, District of Columbia
My Commission Expires 5-31-2010

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

David S. Stone (DS 8580)
BOIES, SCHILLER & FLEXNER LLP
150 John F. Kennedy Parkway
Short Hills, New Jersey 07078
(973) 218-1111
Counsel for Plaintiff
BROADCOM CORPORATION

BROADCOM CORPORATION, Plaintiff, v. QUALCOMM INCORPORATED, Defendant.	Civil Action No. 05-3350 AFFIDAVIT OF DAVID A. BARRETT IN SUPPORT OF PLAINTIFF'S <i>PRO HAC VICE</i> MOTION
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STATE OF NEW YORK)
) SS:
COUNTY OF NEW YORK)

DAVID A. BARRETT, having been duly sworn according to his oath, deposes and says:

1. I am a member in good standing of the Bar of the State of New York , to which I was admitted in 1975. I am also a member in good standing of the Bar of the United States Supreme Court, the Bars of the United States Courts of Appeals for the Second, Third, Fifth, Sixth, Ninth, Tenth, Eleventh and District of Columbia Circuits, and the United States District Courts for the Southern, Eastern and Northern Districts of New York. I make this Affidavit in support of this Motion to allow me to appear in the above-captioned case *pro hac vice*.

2. I am not currently suspended or disbarred in any court and am of good moral character.


3. I represent Broadcom Corporation in the above-captioned action. I am associated in this matter with David S. Stone of the New Jersey office of our firm, Boies, Schiller & Flexner LLP, located at 150 John F. Kennedy Parkway, Short Hills, New Jersey 07078.

4. If admitted to practice before this Court in this case, I will conduct myself in accordance with the Rules governing the conduct of attorneys admitted to practice before this Court, and pay all appropriate fees.

I declare under penalty of perjury that the foregoing is true and correct.


David A. Barrett

Sworn to before me and
subscribed in my presence
this 12th day of September, 2005.


Notary Public

DOREEN M. SCHRAUFL
Notary Public, State of New York
No. 30-4606708
Qualified in Nassau County
Commission Expires June 30, 2009

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

David S. Stone (DS 8580)
BOIES, SCHILLER & FLEXNER LLP
150 John F. Kennedy Parkway
Short Hills, New Jersey 07078
(973) 218-1111
Counsel for Plaintiff
BROADCOM CORPORATION

<p>BROADCOM CORPORATION,</p> <p>Plaintiff,</p> <p>v.</p> <p>QUALCOMM INCORPORATED,</p> <p>Defendant.</p>	<p>Civil Action No. 05-3350</p> <p>AFFIDAVIT OF STEPHEN R. NEUWIRTH IN SUPPORT OF PLAINTIFF'S <i>PRO HAC VICE</i> MOTION</p>
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STATE OF NEW YORK)
) SS:
COUNTY OF NEW YORK)

STEPHEN R. NEUWIRTH, having been duly sworn according to his oath, deposes and says:

1. I am a member in good standing of the Bar of the State of New York, to which I was admitted in 1988. I am also a member in good standing of the Bars of the United States Courts of Appeals for the Federal Circuit (admitted 1991), Third Circuit (admitted 1992), Court of Military Appeals (admitted 1993), Second Circuit (admitted 2002), and Eleventh Circuit (admitted 2004), and the United States District Courts for the Southern District of New York

(admitted 1991) and Eastern District of New York (admitted 1991). I make this Affidavit in support of this Motion to allow me to appear in the above-captioned case *pro hac vice*.

2. I am not currently suspended or disbarred in any court and am of good moral character.

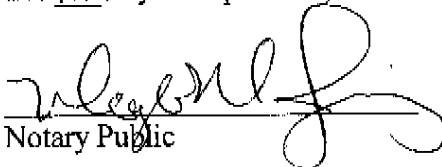
3. I represent Broadcom Corporation in the above-captioned action. I am a member of the Firm Boies, Schiller & Flexner LLP, resident in the Firm's New York City office, and I am associated in this matter with David S. Stone of Boies, Schiller & Flexner LLP's New Jersey office, located at 150 John F. Kennedy Parkway, Short Hills, New Jersey 07078.

4. If admitted to practice before this Court in this case, I will conduct myself in accordance with the Rules governing the conduct of attorneys admitted to practice before this Court, and pay all appropriate fees.

I declare under penalty of perjury that the foregoing is true and correct.


Stephen R. Neuwirth

Sworn to before me and
subscribed in my presence
this 15th day of September, 2005.


Notary Public

MAGDA M. JIMENEZ
Notary Public, State of New York
No. 02JI5065329
Qualified in New York County
Commission Expires September 3, 192006

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

David S. Stone (DS 8580)
BOIES, SCHILLER & FLEXNER LLP
150 John F. Kennedy Parkway
Short Hills, New Jersey 07078
(973) 218-1111
Counsel for Plaintiff
BROADCOM CORPORATION

BROADCOM CORPORATION, Plaintiff, v. QUALCOMM INCORPORATED, Defendant.	Civil Action No. 05-3350 AFFIDAVIT OF DAVID BOIES IN SUPPORT OF PLAINTIFF'S <i>PRO HAC</i> VICE MOTION
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STATE OF NEW YORK)
) SS:
COUNTY OF NEW YORK)

DAVID BOIES, having been duly sworn according to his oath, deposes and says:

1. I am a member in good standing of the Bar of the State of New York , to which I was admitted in 1967 . I am also a member of the Bar of the United States Supreme Court, the Bars of the United States Court of Appeals for the Second, Third, Fourth, Fifth, Seventh, Ninth, Tenth, Eleventh and Federal Circuits, the Bar of the United States Court of Appeals for the District of Columbia; and the United States District Court, District Court of Colorado; the United States District Courts for the Southern & Eastern Districts of New York and the United States Court of International Trade. I make this Affidavit in support of this Motion to allow me to appear in the above-captioned case *pro hac vice*.

2. I am not currently suspended or disbarred in any court and am of good moral character.


3. I represent Broadcom Corporation in the above-captioned action. I am associated in this matter with David S. Stone of the New Jersey office of our firm, Boies, Schiller & Flexner LLP, located at 150 John F. Kennedy Parkway, Short Hills, New Jersey 07078. 4. If admitted to practice before this Court in this case, I will conduct myself in accordance with the Rules governing the conduct of attorneys admitted to practice before this Court, and pay all appropriate fees.

I declare under penalty of perjury that the foregoing is true and correct.



David Boies

Sworn to before me and
subscribed in my presence
this 15th day of ~~August~~, 2005.
September



Notary Public
BARBARA McCABE
Notary Public, State of New York
No. 01MC6085438
Qualified in Westchester County
My Commission Expires December 30, 2008

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

David S. Stone (DS 8580)
BOIES, SCHILLER & FLEXNER LLP
150 John F. Kennedy Parkway
Short Hills, New Jersey 07078
(973) 218-1111
Counsel for Plaintiff
BROADCOM CORPORATION

<p>BROADCOM CORPORATION,</p> <p>Plaintiff,</p> <p>v.</p> <p>QUALCOMM INCORPORATED,</p> <p>Defendant.</p>	<p>Civil Action No. 05-3350</p> <p>AFFIDAVIT OF DAVID S. STONE IN SUPPORT OF PLAINTIFF'S MOTION TO ADMIT STEPHEN R. NEUWIRTH <i>PRO HAC VICE</i></p>
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STATE OF NEW JERSEY)
) SS:
COUNTY OF ESSEX)

DAVID S. STONE, having been duly sworn according to his oath, deposes and says:

1. I am an attorney at law in the State of New Jersey and a member of the bar of this Court, as well as a member of the law firm of Boies, Schiller & Flexner LLP, which represents Plaintiff Broadcom Corporation in the above matter. I have personal knowledge of what is stated below and make this Affidavit in support of a motion, pursuant to L.Civ.R. 101.1(c), to admit Stephen R. Neuwirth *pro hac vice* in the above matter.


2. Mr. Neuwirth is a member of the firm Boies, Schiller & Flexner LLP, and has been asked by plaintiff Broadcom to be involved in this case because of his extensive experience with the antitrust issues at issue in this case, and his prior experiences with Broadcom in other matters.

3. As more fully set forth in his Affidavit, Mr. Neuwirth is a member in good standing of a number of different courts.

4. Upon the admission of Mr. Neuwirth *pro hac vice*, I will continue to participate and serve as counsel of record in this matter. In addition, I will ensure that payment is made for Mr. Neuwirth to the New Jersey Lawyers' Fund for Client Protection, as provided by R. 1:28-2(a).


David S. Stone (DS 8580)

Sworn to before me and
subscribed in my presence
this 15th day of September, 2005.


Notary Public

EILEEN BARON
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Sept. 3, 2006

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

David S. Stone (DS 8580)
BOIES, SCHILLER & FLEXNER LLP
150 John F. Kennedy Parkway
Short Hills, New Jersey 07078
(973) 218-1111
Counsel for Plaintiff
BROADCOM CORPORATION

<p>BROADCOM CORPORATION,</p> <p>Plaintiff,</p> <p>v.</p> <p>QUALCOMM INCORPORATED,</p> <p>Defendant.</p>	<p>Civil Action No. 05-3350</p> <p>AFFIDAVIT OF DAVID S. STONE IN SUPPORT OF PLAINTIFF'S MOTION TO ADMIT MARK W. NELSON <i>PRO HAC VICE</i></p>
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STATE OF NEW JERSEY)
) SS:
COUNTY OF ESSEX)

DAVID S. STONE, having been duly sworn according to his oath, deposes and says:


1. I am an attorney at law in the State of New Jersey and a member of the bar of this Court, as well as a member of the law firm of Boies, Schiller & Flexner LLP, which represents Plaintiff Broadcom Corporation in the above matter. I have personal knowledge of what is stated below and make this Affidavit in support of a motion, pursuant to L.Civ.R. 101.1(c), to admit Mark W. Nelson *pro hac vice* in the above matter.

2. Mr. Nelson is a member of the firm Cleary Gottlieb Steen & Hamilton LLP, and has been asked by plaintiff Broadcom to be involved in this case because of his extensive

experience with the antitrust issues involved in this case, and his prior experiences with Broadcom in other matters.

3. As more fully set forth in his Affidavit, Mr. Nelson is a member in good standing of a number of different courts.

4. Upon the admission of Mr. Nelson *pro hac vice*, I will continue to participate and serve as counsel of record in this matter. In addition, I will ensure that payment is made for Mr. Nelson to the New Jersey Lawyers' Fund for Client Protection, as provided by R. 1:28-2(a).


David S. Stone (DS 8580)

Sworn to before me and
subscribed in my presence
this 15th day of September, 2005.


Notary Public

EILEEN BARON
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Sept. 3, 2006

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

David S. Stone (DS 8580)
BOIES, SCHILLER & FLEXNER LLP
150 John F. Kennedy Parkway
Short Hills, New Jersey 07078
(973) 218-1111
Counsel for Plaintiff
BROADCOM CORPORATION

<p>BROADCOM CORPORATION,</p> <p>Plaintiff,</p> <p>v.</p> <p>QUALCOMM INCORPORATED,</p> <p>Defendant.</p>	<p>Civil Action No. 05-3350</p> <p>AFFIDAVIT OF DAVID S. STONE IN SUPPORT OF PLAINTIFF'S MOTION TO ADMIT DAVID A. BARRETT <i>PRO HAC VICE</i></p>
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STATE OF NEW JERSEY)
) SS:
COUNTY OF ESSEX)

DAVID S. STONE, having been duly sworn according to his oath, deposes and says:

1. I am an attorney at law in the State of New Jersey and a member of the bar of this Court, as well as a member of the law firm of Boies, Schiller & Flexner LLP, which represents Plaintiff Broadcom Corporation in the above matter. I have personal knowledge of what is stated below and make this Affidavit in support of a motion, pursuant to L.Civ.R. 101.1(c), to admit David A. Barrett *pro hac vice* in the above matter.


2. Mr. Barrett is a member of the firm Boies, Schiller & Flexner LLP, and has been asked by plaintiff Broadcom to be involved in this case because of his extensive experience with the antitrust issues at issue in this case, and his prior experiences with Broadcom in other matters.

3. As more fully set forth in his Affidavit, Mr. Barrett is a member in good standing of a number of different courts.

4. Upon the admission of Mr. Barrett *pro hac vice*, I will continue to participate and serve as counsel of record in this matter. In addition, I will ensure that payment is made for Mr. Barrett to the New Jersey Lawyers' Fund for Client Protection, as provided by R. 1:28-2(a).


David S. Stone (DS 8580)

Sworn to before me and
subscribed in my presence
this 15th day of September, 2005.


Notary Public

EILEEN BARON
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Sept. 3, 2008

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

David S. Stone (DS 8580)
BOIES, SCHILLER & FLEXNER LLP
150 John F. Kennedy Parkway
Short Hills, New Jersey 07078
(973) 218-1111
Counsel for Plaintiff
BROADCOM CORPORATION

<p>BROADCOM CORPORATION,</p> <p>Plaintiff,</p> <p>v.</p> <p>QUALCOMM INCORPORATED,</p> <p>Defendant.</p>	<p>Civil Action No. 05-3350</p> <p>AFFIDAVIT OF DAVID S. STONE IN SUPPORT OF PLAINTIFF'S MOTION TO ADMIT DAVID BOIES <i>PRO HAC</i> <i>VICE</i></p>
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STATE OF NEW JERSEY)
) SS:
COUNTY OF ESSEX)

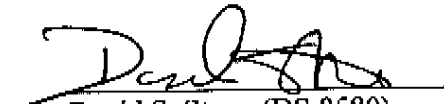
DAVID S. STONE, having been duly sworn according to his oath, deposes and says:

1. I am an attorney at law in the State of New Jersey and a member of the bar of this Court, as well as a member of the law firm of Boies, Schiller & Flexner LLP, which represents Plaintiff Broadcom Corporation in the above matter. I have personal knowledge of what is stated below and make this Affidavit in support of a motion, pursuant to L.Civ.R. 101.1(c), to admit David Boies *pro hac vice* in the above matter.


2. Mr. Boies is a member of the firm Boies, Schiller & Flexner LLP, and has been asked by plaintiff Broadcom to be involved in this case because of his extensive experience with the antitrust issues at issue in this case, and his prior experiences with Broadcom in other matters.

3. As more fully set forth in his Affidavit, Mr. Boies is a member in good standing of a number of different courts.

4. Upon the admission of Mr. Boies *pro hac vice*, I will continue to participate and serve as counsel of record in this matter. In addition, I will ensure that payment is made for Mr. Boies to the New Jersey Lawyers' Fund for Client Protection, as provided by R. 1:28-2(a).


David S. Stone (DS 8580)

Sworn to before me and
subscribed in my presence
this 15th day of September, 2005.


Notary Public

EILEEN BARON
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Sept. 3, 2006